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The Rule of St. Clare
and its Observance in the
Light of Early Documents ❀
A Contribution to the Seventh
Centenary of the Saint's Call
❀ By Fr. Paschal Robinson,
of the Order of Friars Minor

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The Rule of St. Clare

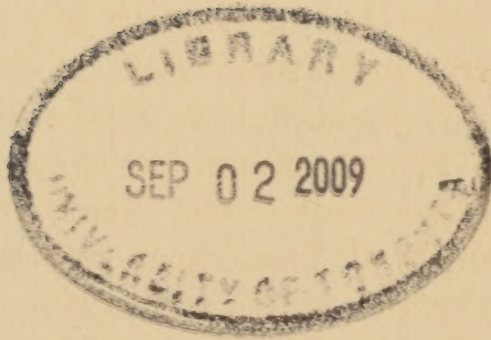
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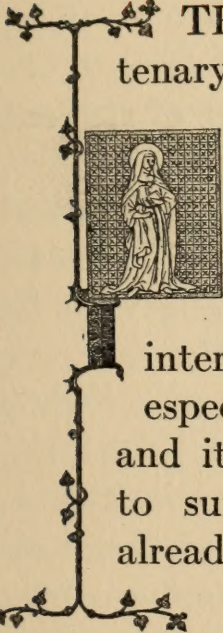
BY FR. PASCHAL ROBINSON
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The Rule of St. Clare and Its Observance in the Light of Early Documents

 THE celebration of the seventh centenary of the Poor Clares which occurs this spring will doubtless tend to direct attention toward the story of their foundation. That story opens up a chapter in medieval history by no means devoid of interest even for those who are not especially students of Franciscan origins, and it may not be out of place, therefore, to summarize, however briefly, what is already known and established about the Order of St. Clare during the most interesting period of its history—its infancy. Inasmuch as I have been taken rather to task for failing to throw “more light” upon this subject,¹ I ought perhaps to remind my readers, at least such of them as are not well acquainted with the trend of the early Seraphic legislation, that the whole question is very complex and controversial. A just concept of it can come only as a result of a

¹ For this and other notes see below, pp. 28-32.

careful study of the Papal Bulls at our disposal. To these documents accordingly we must now turn as to our main source of information concerning the Rule of St. Clare. It is no easy task, however, to tread one's way through the thirteenth-century rescripts of the Roman Curia. Indeed, the kind of research necessary to disentangle a connected story of the Rule from them is one in which only the most patient of students is likely to persevere.

Any one who has already taken this task seriously in hand will know better than I can tell him, that the chief difficulty in dealing with the documents in question arises from the fact that we are continually encountering assertions which cannot seemingly be made to square with other assertions of apparently equal authority. In casting about for a clue wherewith to make our way out of the labyrinth of these seeming contradictions, we may find one, I think, or something very like one, in the lack of uniformity as to the observance of their Rule, which has been peculiar to the Poor Clares from the very outset. No two monasteries in the Order, even within the narrow confines of the Seraphic Umbria, appear to have ever followed the Rule exactly alike. So far as concerns the Monastery of S. Damiano near Assisi, the effect of personal association with St.

Clare must be reckoned the dominating factor in the observance. Up to the last St. Clare used her very remarkable strength of character there in such a way that everything seemed to depend upon her individuality. Perhaps in no phase of Franciscan history is the personal note stronger than in that of S. Damiano during the four decades the Saint was set to rule over it as Abbess. It was far different, however, in other monasteries of the Order where the influence of St. Clare was less felt and where the powers of the Abbess were limited. In point of fact it may be said that the way the Rule was observed outside S. Damiano depended in no small degree on the tendency prevailing in the community. Thus we find the Clares of Monteluca near Perugia obtaining from Gregory IX in 1229, a Bull² "ad instar Privilegium Paupertatis ut ad recipiendas possessiones a nemini compelli possint pro altissimae paupertatis proposito servando;" whereas the same Pope soon afterward granted an Indulgence to those who gave alms to the Clares of Vallegloria at Spello,³ and later he gave to the latter nuns the greater part of the goods (*bona*) belonging to the Abbey of San Silvestro in Mount Subasio.⁴ In these two examples, which might easily be multiplied, the point illustrated is that we can early distinguish a double current, so to say, in the

long line of official documents dealing with the Rule of St. Clare, corresponding to the twofold tradition and observance which date from the very beginnings of the Order. Although the existence of these two distinct categories of Bulls may not indeed account for all the confusion or the apparent contradictions which tend to obscure the early history of the Rule, at least it brings them into some kind of orderly sequence. And that is enough for our present purpose.

It has been truly said that all powerful and permanent Rules *grow*, and there have been several stages in the growth of the Rule of the Clares. During the lifetime of St. Clare herself we may distinguish, as I have elsewhere pointed out,⁵ at least three stages in its evolution, and these, so far as I am able to elucidate them, will form the subject of the following pages.

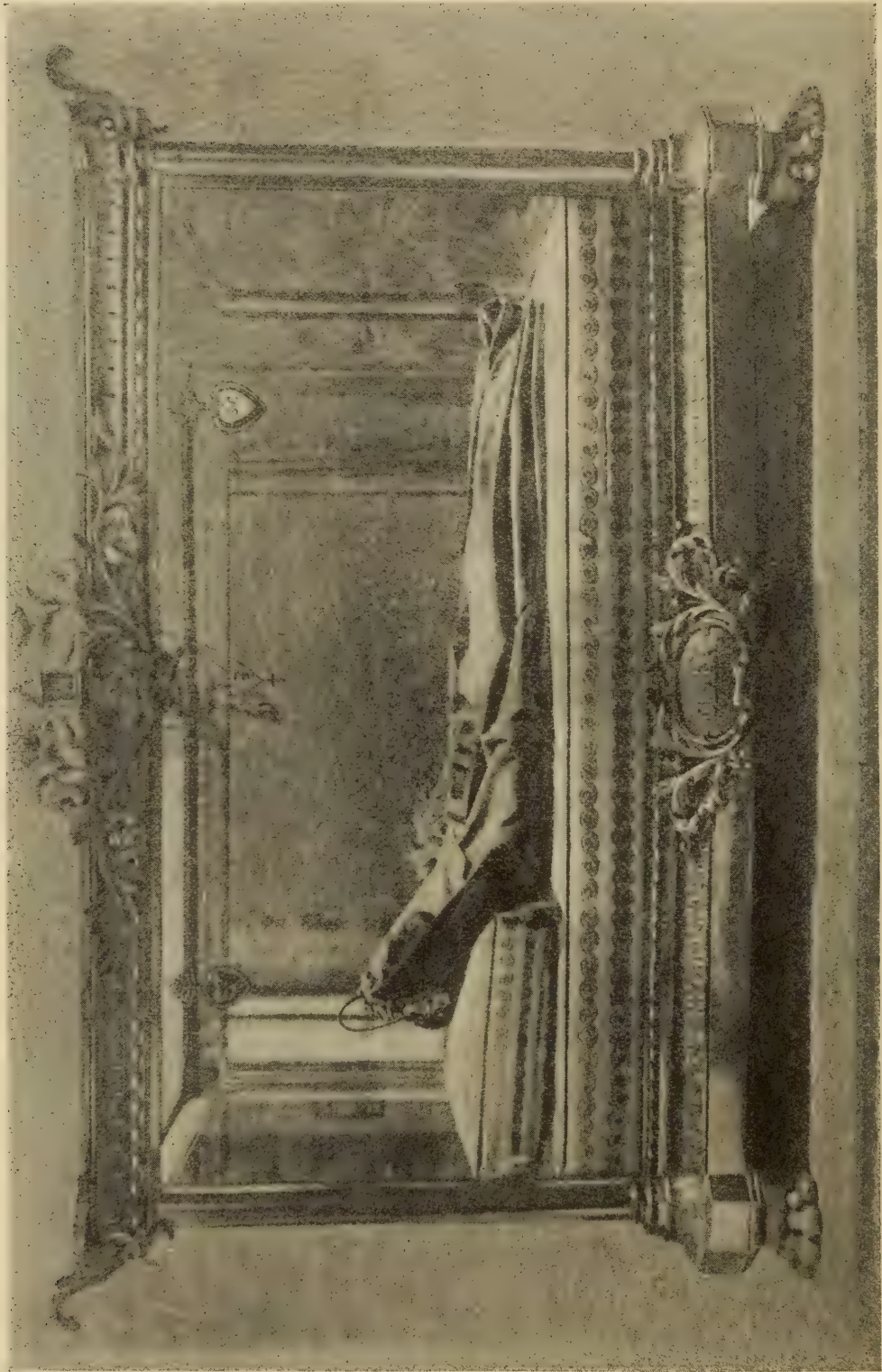
Of recent years some well-known scholars have sought to show that what we now call the Third Order was really the starting-point of the whole Franciscan Order. They hold that the Second and Third Orders of St. Francis were not added to the First, but that the three branches, namely, the Friars Minor, the Poor Ladies, and the Brothers and Sisters of Penance, grew out of the lay confraternity of penitents which was St. Francis's first and original intention and were separated

from it into different groups during the absence of St. Francis in the East (1219–1221) by Cardinal Ugolino, then Protector of the Order, afterward Pope Gregory IX.⁶ This somewhat arbitrary yet extremely interesting theory is not without important bearing upon the evolution of the Rule of St. Clare. But although it finds some confirmation in certain early documents, such as the contemporary biography of Gregory IX,⁷ it is not yet sufficiently proved to preclude the view still more generally received, according to which the Franciscan Order developed into three distinct branches, namely, the Friars Minor, the Poor Clares, and the Third Order Secular, by process of addition and not by process of division.⁸ Be this as it may, it is not difficult to recognize the work of Ugolino in the important changes made in the organization of Poor Clares during the absence of St. Francis in the Orient, as we shall see presently. We must first touch briefly upon the foundation of the Order.

To begin at the beginning, it was during the Lent of 1212 that St. Clare, who was then rising eighteen, underwent the great spiritual crisis in her life which it is customary to call her "conversion" and which, as all the world knows, was brought about by the preaching of St. Francis in Assisi. It is a romantic narrative that which

describes the young girl's flight from her father's house under cover of night, and which tells how, having forced her way through a walled-up door, she hurried out of the slumbering old town and down by the silent woods below it to the wayside chapel of the Porziuncola in the plain; how St. Francis and his companions, who had been keeping vigil there, advanced with lighted torches to meet her, and how St. Francis, having cut off her hair, before the little altar of Our Lady of the Angels, clothed her with the coarse "beast-colored" habit and knotted cord which had been adopted by his friars.

All this took place shortly after midnight on Palm Sunday which, in the year 1212, fell on 18 March; and it is from that date the Poor Clares reckon the foundation of their Order. And rightly so, though just how far St. Francis may have then expected or intended to found an Order of contemplative nuns with the coöperation of St. Clare is surely a matter of conjecture. In any case, it is not without interest to note that St. Clare in the document known as her Testament—whatever its witness may be worth—tells us that while St. Francis was engaged on the restoration of S. Damiano he once mounted on a wall of the old chapel and cried out to some passers-by, "Come and help me in building the Monastery



THE SHRINE OF ST. CLARE AT ASSISI

of S. Damiano, for there will yet be ladies there by whose renowned and holy way of living our Heavenly Father will be glorified throughout His holy Church.”⁹ What we know from other sources enables us to fix upon 1206 as the year in which St. Francis undertook the work of repairing S. Damiano.¹⁰

It was not, however, until some little time after St. Clare’s “reception” at the Porziuncola that the Benedictine monks, to whom S. Damiano belonged, offered that venerable sanctuary to St. Francis as a suitable retreat for St. Clare and the women who were already gathering round her. In the meantime, St. Clare had been placed provisionally by St. Francis with the Benedictine nuns, first at the Monastery of S. Paolo, which stood on the outskirts of Bastia at about an hour’s walk from the Porziuncola, and, a few days later, at S. Angelo in Panzo, another monastery of the same Order, situated, as is now clear, on the western declivity of Monte Subasio, not far distant from the Carceri.¹¹ But the claim put forward two centuries ago¹² that St. Clare had professed the Rule of the Benedictine nuns during her sojourn among them no longer merits serious refutation.

More important considerations await us in connexion with S. Damiano, for, round the small

gray chapel there among the tangled olive trees, a rude dwelling was built for St. Clare and her companions, and this became the cradle of the Order of the Poor Ladies. For some time after her installation at S. Damiano, St. Clare was without any written or formal Rule. She instructed her little community in the literal observance of the simple form of life she herself had learned from the lips of St. Francis. The Seraphic Father, who watched over the rise and growth of these Damianites with paternal solicitude, soon gave them a short *formula vitae*, as we learn from St. Clare herself: "After the Heavenly Father Most High deigned to enlighten my heart by His grace," she says, "to do penance according to the example and teaching of our most Blessed Father St. Francis, I together with my sisters voluntarily promised him obedience a little while after his conversion. Seeing that we feared no poverty, toil, sorrow, humiliation, or contempt from the world, nay, rather that we held them in great delight, the Blessed Father wrote us a form of life as follows: 'Since by divine inspiration you have made yourselves daughters and handmaids of the Most High Sovereign King, the Heavenly Father, and have espoused yourselves to the Holy Ghost, electing to live according to the perfection of the Holy Gospel, I will

and I promise for myself and my friars always to have for you, as for them, a special solicitude.' This promise he faithfully kept so long as he lived and he wished it always to be kept by the friars."¹³

There is some difference of opinion as to how far the words of St. Francis here quoted by St. Clare represent the text of the *formula vitae* of which there is question. Speaking for myself I do not believe that this fragment of St. Francis's writings taken as it stands can be regarded as the *formula* in its entirety; it seems to be rather in the nature of a promise accompanying the *formula*, together with the *incipit* of the *formula* itself. And, if this be the case, Wadding was well advised in placing it among St. Francis's letters, as he does in his edition of the Saint's *Opuscula*.¹⁴ In any event, the opinion advanced by Sabatier, that the entire text of the *formula* was formerly inserted in Chapter VI of the Rule of 1253,¹⁵ can no longer be maintained, now that the original Bull confirming that Rule has been recovered;¹⁶ and we may safely conclude with Sbaralea that the *formula vitae* which St. Francis gave St. Clare when she was installed at S. Damiano has not come down to us in its original shape.¹⁷ So far as can be gathered, however, it was very short and simple—a mere informal adaptation for the

Poor Ladies of the Gospel precepts already selected by St. Francis for the guidance of his own companions and which he desired the Damianites likewise to practise in all their perfection. That these Damianites were still without any written Rule when the Camaldolese nuns of Vallegloria embraced their mode of life is clear from documents I have seen in the archives of the Clares at Vallegloria. This was in or about 1216.

In a letter of Jacques de Vitry written at that time we find the earliest known witness to the manner of life led by the Poor Ladies. "Mulieres vero," he says, "juxta civitates in diversis hospitiiis simul commorantur, nihil accipiunt sed de labore manuum vivunt."¹⁸ But it by no means follows from this testimony, as some recent writers would have us believe, that the Clares did not observe enclosure at the beginning of their institute. For be it remembered that the days when women might have the privilege of sharing in apostolic labors among the poor, the ignorant, and the suffering, were yet far off in 1216. Apart, however, from this consideration, there is no evidence that the Poor Ladies at S. Damiano or elsewhere ever went beyond the precincts of their monasteries, except, of course, when there was question of making a new foundation. The theory which assumes the contrary to have been the case,

rests on evidence which seems to me, to say the best of it, slender, and, if we accept it, we run the risk of placing St. Clare and her daughters in a position for which there is no warrant in history.

And this leads me to touch upon the familiar chapter in the *Fioretti* which relates how St. Francis and St. Clare ate together at the Porziuncola.¹⁹ Because I made bold to affirm, in my little book on St. Clare,²⁰ that this charming narrative was quite devoid of historic foundation, I have been criticised by Professor Little and others²¹—all in a very friendly vein, for which I am most grateful. In answer to this criticism, I should like to say that it is not really relevant to bring against this narrative any question of the law of enclosure, for, with the documents at our disposal, it is well-nigh impossible to determine whether enclosure existed among the Poor Ladies from the first or whether it was introduced at a later date. I may add that I hold no brief one way or the other, and that I was led to reject the narrative as apocryphal for wholly different reasons. As we may not enter upon these reasons now for lack of space, I may perhaps be permitted to return to them at another time. For the moment, then, to pass over the improbabilities with which the story in question bristles, as well as its inconsistency, which constitute, in my opinion, a very

suspicious feature, it will suffice to note that this legend has not yet been subjected to a critical examination such as the ones under which other legendary chapters in the life of St. Clare have succumbed. It is only such an examination as this that can determine how far Chapter XIV of the *Fioretti* be true to the letter; in any event it will remain true to the spirit.

And now, passing on from this digression to the second stage in the history of the Rule of St. Clare, let us note that, small and humble as were its beginnings, the Order sprang at once into popular favor and spread with amazing rapidity not only throughout Italy, but also beyond the Alps.²² As a result of this development, the simple, familiar, and informal ways which had marked the Institute at the beginning were assuredly bound to disappear.²³ It was Cardinal Ugolino, then Bishop of Ostia and Protector of the Order, afterward Gregory IX, who undertook the task of reconciling inspirations so unstudied and free with an order of things they had outgrown. During the absence of St. Francis in the East various troubles had arisen throughout the Order. In the first place, Matthew of Narni and Gregory of Naples, the two Vicars General whom he had left in charge of the Order, had summoned a General Chapter which, among other innovations,

sought to impose new fasts upon the friars more severe than the Rule required. Moreover, John of Capella, one of the Saint's first companions, had assembled a large number of lepers, both men and women, with a view to forming them into a new Religious Order and had actually set out for Rome to seek approval for the rule he had drawn up for these unfortunates. What concerns us more is the fact that Brother Philip, whom St. Francis had charged with the interests of the Clares, had obtained from Ugolino a Pontifical Privilege in their favor against the will of St. Francis,²⁴ and that Ugolino drew up for the Poor Ladies a written Rule, taking as its basis the Rule of St. Benedict, to which he added some special constitution adapted to the needs of the Clares as he understood them.²⁵ In connexion with this quasi-Benedictine Rule it is necessary to recall that in 1215 the fourth Lateran Council had forbidden the establishment of new Religious Orders, lest too great a diversity bring confusion into the Church, and had decreed that those who desired to embrace the religious life were to adopt one of the Rules already approved.²⁶ It was in accordance with this decree that Cardinal Ugolino modelled the Rule he drew up for the Clares upon that of St. Benedict, and not, as some infer, because he was fain to make of them a community

of Benedictines. True it is that it began "Regulam beatissimi Benedicti vobis tradimus observandam," but when later on some doubts arose among the Clares as to how far they were obliged to observe the Benedictine Rule, and Innocent IV was appealed to, he replied that the Poor Ladies, as a whole, were not held to the observance of that Rule except as regards the three essential vows of obedience, poverty, and chastity; as for the rest, they were only to follow the formula prescribed from the beginning of the Order.²⁷ The important thing to remember is that the Rule drawn up in 1219 by Ugolino²⁸ was duly confirmed by Honorius III²⁹ and was adopted by the monasteries at Panzo, Monticelli, and elsewhere.³⁰ Though strict enough in other respects, this Rule took away from the Poor Ladies, in effect if not in intention, the characteristic of absolute poverty which St. Francis sought to make the distinctive mark of his Order and conformably to which the Clares were not to possess any worldly goods, even in common, but were to depend entirely on what the friars could beg for them. Such a complete renunciation of all possessions was regarded by Ugolino as impracticable for cloistered women. St. Clare, however, so far as her own community was concerned, resisted the innovations proposed by the Cardinal as

being wholly at variance with the intentions of St. Francis, and there is no good reason to believe that his quasi-Benedictine Rule was ever put into practice at S. Damiano or that Clare and her community there ever deviated from the observances which had gradually grown up round about the primitive *formula vite* they had received from St. Francis at the outset of their religious life. I am not unmindful of the assertion made by Gregory IX in 1238 to the effect that the Rule he had himself drawn up for the Poor Ladies in 1219 was still "laudably observed" by Clare and her Sisters.³¹ As against this assertion in which the wish may well have been "father of the thought," we have Gregory's refusal³² to sanction the statutes for the Monastery of the Clares at Prague, sent him for confirmation by Princess Agnes of Bohemia, because they were at variance with the Rule he had himself given to the Poor Ladies. Now these statutes had been drawn up by the pious Princess in accordance with the observances then in vogue at S. Damiano and which St. Clare had communicated to her by letter.³³

Leaving this difficult question aside, however, we may turn to the assertion formerly rather freely made that St. Francis, after his return from the Orient, composed a formal Rule in twelve

chapters for the Poor Clares, as a substitute for the one imposed upon them by Ugolino. This view finds its chief support in the fact that Wadding includes the Rule of St. Clare, confirmed in 1253, among the writings of St. Francis under the title, "Regula Prima Sanctae Clarae," and assigns it to the year 1224.³⁴ It would be very unfair, however, to make a scapegoat of Wadding, seeing that Gonzaga before him fell into the same error.³⁵ If I speak of this opinion as erroneous it is because the scientific researches in this direction which within the last two decades have greatly enlarged our knowledge of Franciscan origins have made it perfectly clear that, aside from the short *formula vitae* written for the first nuns at S. Damiano at the outset of their religious life, St. Francis gave no rule of any kind to St. Clare or her Order, nor is any mention of such a rule to be found in any of the early authorities, as the Quaracchi Editors have been at pains to prove.³⁶ It is, therefore, somewhat surprising to find so well-informed a writer as Professor Pennacchi rehabilitating the opposite opinion by affirming as he does³⁷ that the lengthy formal Rule of the Clares in twelve chapters, confirmed by Innocent IV in 1253, was based substantially on an earlier one written by St. Francis in 1224. This opinion is quite unsupported by historical evidence, and

has been the source of many mistaken and misleading conclusions.

Certain it is, moreover, that Innocent III never approved any Rule for the Poor Clares. This has been shown so conclusively by Lemmens³⁸ that it would be superfluous to insist upon it here. But it will hardly be questioned, I suppose, that St. Clare obtained from Innocent III, either in writing or *viva voce*, a confirmation of the "Privilege of Poverty," since this is asserted in her Testament and borne out by her Legend. In fact there are several indications that she did obtain such a grant through the medium of St. Francis in 1215, and it seems to have been after St. Francis returned from Rome, in that year, that St. Clare was made Abbess at S. Damiano.³⁹ It will be remembered, too, that when Gregory IX came to Assisi, in 1228, for the canonization of St. Francis, he visited S. Damiano,⁴⁰ and pressed St. Clare to so far deviate from the practice of absolute poverty, which had hitherto obtained there, as to make some provision for the unforeseen wants of the community during the bad times which had fallen upon Italy. But St. Clare would brook no compromise. "If thou fearest thy vow," said the Pope, "we release thee from the vow." "Holy Father," answered Clare, "absolve me from my sins if thou wilt, but never

do I wish to be released in any way from following Christ for ever." This reply was entirely characteristic of St. Clare. Perhaps her fortitude seemed to go beyond prudence at times, yet it was in reality the prudence of the Gospel. That Pope Gregory was deeply attached to St. Clare, whom he venerated as a Saint, his letters to her bear eloquent witness,⁴¹ and in September of 1228 we find him so far yielding to her views as to grant St. Clare the famous "Privilegium Paupertatis," by virtue of which she might never be constrained by any one to receive possessions for her Order.⁴² True to her convictions and consistent in her aims, we find St. Clare and the fifty sisters who were with her at S. Damiano, in 1238, executing an instrument by which they appointed a procurator to make over to the Chapter of S. Rufino a piece of land near Bastia that had been bequeathed to them.⁴³

In the early days of the Order the Poor Clares subsisted, as we have seen, entirely on alms, but after definitive enclosure was imposed upon them, about 1219, their needs were supplied by certain friars, usually a Father, to attend to the spiritual wants of the community, and one or more lay Brothers, whose duty it was to go in quest of food for the Sisters.⁴⁴ That St. Clare had nothing more at heart than the continuance of this arrangement,

which served as a bond of union between the Minorite "brethren and sistren," may be seen from a passage in the last chapter of her Rule, in which, after telling of St. Francis' solicitude for herself and her Sisters, at the outset of their religious life, she pleads "for the love of God and the Blessed Francis" that the services of a chaplain with one companion and two lay Brothers may always be granted to the Sisters "to assist them in their poverty."⁴⁵ This pathetic request reveals the anxiety the holy Abbess felt because of the movement already on foot among the friars in favor of giving up the care of the Clares, and which culminated in a decree of the Chapter General of Pisa, in 1263, "ut omnino dimitteretur cura sanctimonialium Damianitarum sive Clarissarum."⁴⁶ Already, in 1230, Gregory IX had forbidden any of the friars to visit the monasteries of the Clares without his permission.⁴⁷ This prohibition came as a sad blow to St. Clare, as she took special delight in the sermons of the early companions of St. Francis, who often went to preach at Damiano. "He might as well take all the friars from us," she exclaimed, "now that he hath taken those who furnished us with the food of the soul," and she forthwith sent away even the Brother questors who provided bodily sustenance for her community. When the Pope

heard this he at once raised his prohibition, and the close relations that had existed from the outset between the companions of St. Francis and the Abbess of S. Damiano continued so long as St. Clare lived, for we learn from her contemporary biographer that she had the happiness of being assisted by three of them in her last hours.

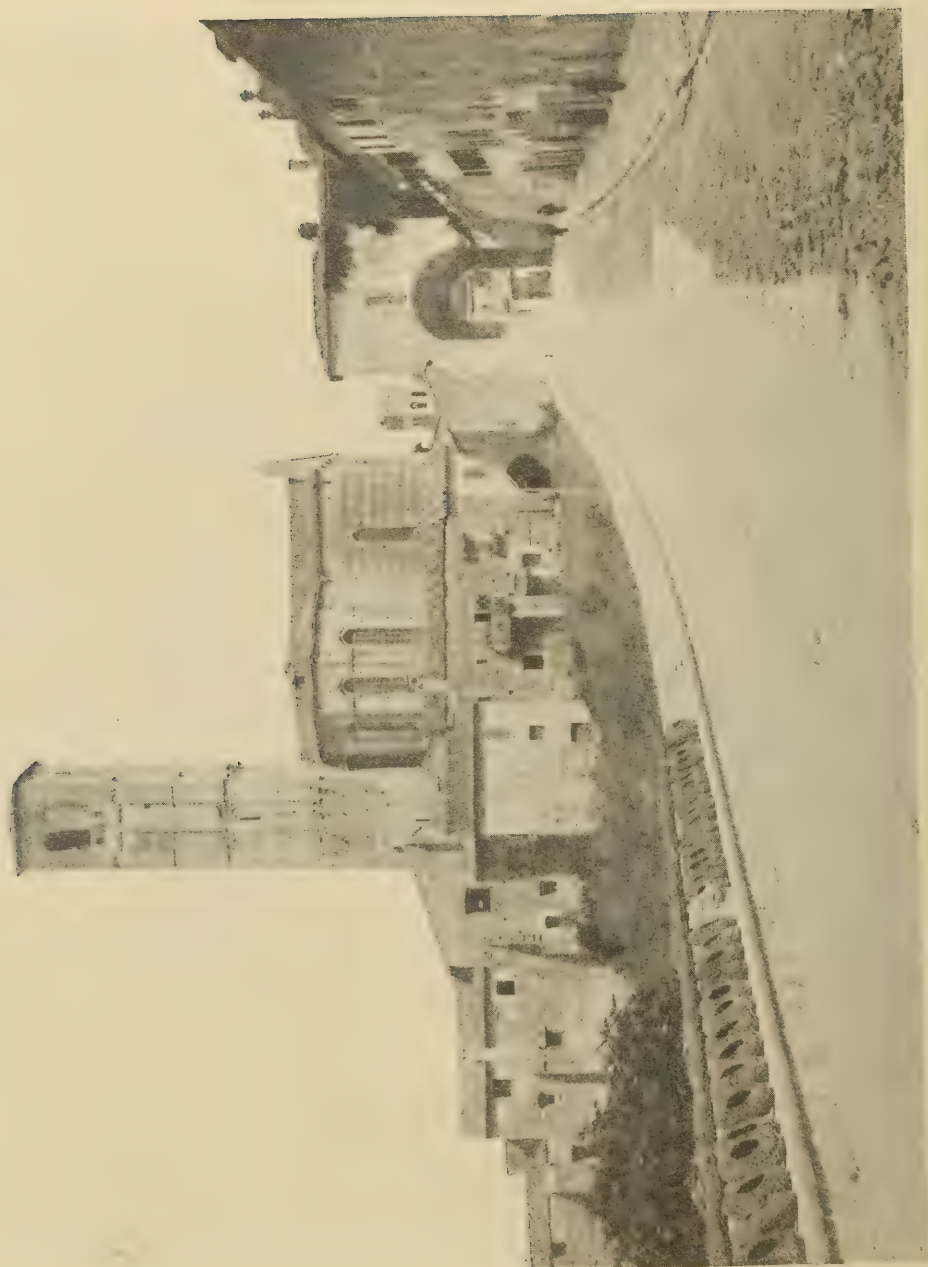
While St. Clare was striving to keep the old order of things intact at S. Damiano, much of it had fallen elsewhere; and among the secondary causes which tended to bring about at least some changes in the disciplinary evolution of the Order it will not perhaps be superfluous or uninteresting to suggest one which I do not remember to have found mentioned before, namely: the number of Benedictine nunneries like Vallegloria, S. Angelo in Panzo, and S. Paolo at Spoleto, which embraced the new institute of the Poor Ladies.⁴⁸ What I want principally to observe is, that this influx of religious from another Order which had its own traditional observances deeply rooted for centuries cannot be ignored as one of the external influences that was at work in the elaboration of the Rule of the Clares. By no means do I imply that this influence made for greater laxity. But it was inevitable that these former Benedictines, left to themselves amid their old surroundings, should drift back, so to say, into something

more or less resembling the mode of life they had been leading before becoming Clares, and which, however conformable it might be to the Rule of St. Benedict, was quite foreign to the first intention of either St. Francis or St. Clare. Their eagerness to follow the Rule drawn up by Ugolino, which, being based, as we have seen, on that of St. Benedict, came more naturally to them, testifies to this imperfect fusion of disparate elements.

Doubtless the fact that no attempt was made, up to the time we have been considering, to impose anything like a uniform observance of their Rule upon the Clares, goes far to explain why we hear of no mystic disputes or clash of opinions amongst them on the subject, such as rent the Order of Friars Minor at a very early period of its history. We catch, however, an echo of these contentions whenever any attempt was made to impose another observance upon the Clares than that to which they had been accustomed. A typical case of this kind is that of the Clares of S. Angelo, at Ascoli, who appealed to the Holy See against an effort to force them to accept a later "formula" of life than the one they had received from Gregory IX;⁴⁹ whereupon Innocent IV⁵⁰ decreed that they might not be molested as regards their observance of the Rule.

Later on, indeed, the Clares felt the effect of the divisions among the friars. Meanwhile, in proportion as the Order increased and spread, the difficulty of subsisting entirely upon alms became greater. To meet this difficulty several Communities applied to the Holy See for permission to possess property in common. In this connexion Innocent IV issued two Bulls. One of these, dated 1245,⁵¹ approved the Rule composed in 1219 by Ugolino, which was based on that of St. Benedict, with the addition of particular constitutions; the other, dated 1247,⁵² omitted any reference to the Rule of St. Benedict, and, while requiring poverty from the Poor Clares, individually, authorized the possession of property in common. Once again St. Clare appealed to the Holy See that S. Damiano at least might still possess the privilege of not possessing anything, and Innocent IV permitted her and all who wished to follow her example to practise the most absolute poverty.⁵³

This brings us up to the year 1253 and to the third stage in the history of the Rule of St. Clare. It was on 9 August in that year, and only two days before her death, that Innocent IV, no doubt at the reiterated request of the dying Saint, solemnly confirmed the definitive Rule of St. Clare, by which the treasure of the "Most High



MONASTERY OF ST. CLARE
Present Mother-House of the Order of St. Clare

Poverty” was transmitted intact to those who came after her.⁵⁴ This definitive Rule appears to have been based upon the observances which had gradually grown up at S. Damiano round about the primitive *formula vite* and upon the instructions received from the Holy See at different times, and was cast into a legislative form by Cardinal Rainaldo of Segni, afterward Alexander IV, but there can be no doubt that it was revised by St. Clare herself, and that parts of it are her very own.⁵⁵ Her hand is especially noticeable in those passages where the impersonal style of the legislator is dropped, as, for example, where she refers to herself as the “little flower of the most Blessed Father Francis,” or where, at the end of Chapter II, she makes a touching appeal to the Sisters “for the love of the most holy and most sweet Child Jesus wrapped in poor little swaddling clothes,” etc., etc., “that they be always clothed in poor garments.”

But this rule of 1253 was adopted in comparatively few monasteries of the Order; the greater number of the Clares continued to follow the Rule drawn up by Cardinal Ugolino, which, as has been said before, was confirmed by Ugolino himself, after his accession to the Papal throne,⁵⁶ as well as by his successor Innocent IV.⁵⁷ In 1263, Urban IV practically revived this Rule of Ugolino,⁵⁸

and was fain to impose it upon the whole Order in the interests of uniformity.⁵⁹ Several Communities, however, which were following the Rule of 1253 without dispensation, obtained leave from the Pope to continue in that observance. In the course of time this latter Rule became the exception, and in our own day the modified Rule of Urban IV is most generally followed throughout the Order. But we are not now concerned with the later history of the Rule, and I must content myself here by noting that, in addition to the Rule, different divisions of the Order have received special constitutions of their own. Thus, some of the Clares follow the Constitutions drawn up by St. Colette (d. 1447), whilst others follow certain Constitutions given by the Capuchins to the branch of the Order founded at Naples by the Ven. Maria Longo (d. 1542). There are still, therefore, several observances in the Order of St. Clare, inasmuch as it includes all the different monasteries of cloistered nuns professing the Rule of St. Clare, whether they observe it in the form approved by Innocent IV in 1253, or according to the dispensations of Urban IV, or conformably with the Colettine or Capuchin Constitutions.⁶⁰ Taken as a whole, the Order of St. Clare numbers, at present, 11,330 religious and has 599 monasteries. Some of these foundations are still

under the jurisdiction of the Ministers General of the Friars Minor; others are under episcopal jurisdiction, while the Monastery of St. Clare at Assisi, the present Mother House of the Order, is now, as in the past, under the immediate authority of a Cardinal Protector.



NOTES

¹ "Only one thing is disappointing in this book," says the *London Tablet* (15 October, 1910) in a review of my *Life of St. Clare*, "the critical foreword to the Rule. We should like to know more about its history than the translator has chosen to give us. With his vast knowledge of Franciscan documents, Father Paschal Robinson, we feel sure, might have thrown much clear light upon a difficult subject in Franciscan literature. But perhaps he is reserving himself for some future essay."

² Cf. the Bull *Sicut manifestum est* of 16 July, 1229, in *Bullarium Franciscanum*, Vol. I, p. 50. As late as 1750 the original of the Bull was preserved at Monteluce, but when I visited that monastery in 1908 not a single document was to be found there. No doubt many MSS. and books formerly at Monteluce are now mouldering in obscurity in the cellar of the Communal Library at Perugia.

³ By the Bull *Quoniam ut ait Apostolus* of 12 April, 1230. *Bull. Franc.*, I, p. 59.

⁴ By the Bull *Ab Ecclesia* of 27 July, 1230, *ibid.*, p. 81. In many instances the only records of some of the monasteries of the period that remain are the "privileges granted to them."

⁵ Cf. *Catholic Encyclopedia*, Vol. IV, St. Clare.

⁶ Cf. Müller, *Die Anfänge des Minoritenordens* (Freiburg, 1885), pp. 33 ff.; Ehrle in *Zeitschrift f. k. Theol.*, XI, 743 ff.; Van Ortruy in *A. B.*, XVIII, 294 ff.; E. d'Alençon in *Etudes Franciscaines*, II, 646 ff.; Mandonnet, *Les Regles, etc., de l'Ordo de Poenitentia au XIII siècle* in *Opus. de Crit. Hist.* I-IV (1902).

⁷ In this biography, which was written about 1250 and edited by Muratori, Gregory is spoken of as having "instituted" the Poor Ladies and the Third Order. See *Script. Rerum Italicarum*, t. III, p. 575. So, too, Thomas of Celano speaks of the "wondrous life and glorious institution of the Clares" which they received from the Lord Pope Gregory, then Bishop of Ostia. Cf. *I Cel.*, chap. VIII, n. 20 (Ed. d'Alençon, 1906), p. 23.

⁸ Cf. article on the Franciscan Order by the present writer in *Cath. Encyclopedia*, Vol. VI, pp. 217 ff.

⁹ Testam. B. Clarae in *Seraphicae Legislationis Textus Originales* (Quaracchi, 1897), p. 274.

¹⁰ See I Celano (Ed. E. d'Alençon), c. VIII, § 18, p. 21.

¹¹ See Cavanna: *L'Umbria Francescana Illustrata* (Perugia, 1910), pp. 40-42; and pp. 133-136.

¹² In a work entitled "La Vergine S. Chiara di Asisi monacha prima del patriarca S. Benedetto e dopo del Serafico P. S. Francesco," which is refuted by P. Antonio da Orvieto in his "Cronologia della Provincia Serafica Riformata" (Perugia, 1717), lib. II, p. 108.

¹³ Regula S. Clarae, Cap. VI; in *Seraph. Legis.*, p. 62. Pope Gregory IX also refers to this *formula vitae* in the Bull *Angelis gaudium* of 11 May, 1238. Cf. *Bull. Franc.*, I, p. 242.

¹⁴ Wadding, *B. P. Francisci Assisiatis Opuscula* (Antwerp, 1623). Epist. IV, p. 17. See also Van Ortroij in *Analecta Bollandiana*, t. XXIV, fasc. III, p. 412.

¹⁵ *Vie de S. François* (Paris, 1894), p. 179.

¹⁶ This long-lost document was found at Assisi in 1893 hidden in the sleeve of St. Clare's habit which was preserved as a relic. (See Robinson, *The Life of Saint Clare*, 1910, p. xlvi.) Were it only endowed with speech, what tales this venerable roll of parchment might tell!

¹⁷ Cf. Sbaralea: *Bull. Franc.*, I, p. 671, n. c.

¹⁸ The letter in question is given by Boehmer: *Anal. zur Gesch. des Fr. von Assisi* (1904), p. 94, and by Sabatier: *Spec. Pref.* (Paris, 1898), Appendix.

¹⁹ Cf. *Actus B. Francisci* (Ed. Sabatier), chap. XV; *Fioretti*, chap. XIV; *Liber Conformit.* (Ed. Quaracchi), p. 353.

²⁰ *The Life of St. Clare* (1910), p. 127.

²¹ *English Historical Review*, No. C (Oct., 1910), p. 776; see also *Cath. Book Notes*, Vol. XIV, No. 154 (15 Sept., 1910), p. 276.

²² For an account of the spread of the Order during the lifetime of St. Clare see Wauer, *Entstehung und Ausbreitung des Klarissenordens* (Leipzig, 1906), passim.

²³ The Brief addressed by Honorius III, to Cardinal Ugolino on 27 Aug., 1218, is of the utmost importance for understanding this development. Cf. *Bull. Franc.*, I, p. 1.

²⁴ Cf. *Chronica Fr. Jordani* (Ed. Boehmer, Paris, 1908), pp. 12-13.

²⁵ Cf. Wadding: *Annales*, ad an. 1219, n. 47.

²⁶ Con. Lat. IV, Can. XIII.

²⁷ Cf. the Bull *Cum universitati vestrae* of 21 Aug., 1244, l. c. I, p. 340; also Potthast: *Reg. Pont. Roman.*, t. II (Berlin, 1875), N. 11451, and *Archivum Francis. Historicum*, I, p. 417.

²⁸ And "accepted," as he tells us later on, by St. Francis. See the Bull *Angelis gaudium* of 11 May, 1238. *Bull. Franc.*, I, p. 243.

²⁹ By the Bull *Sacrosancta Romana Ecclesia* of 9 Dec., 1219, *Bull. Franc.*, I, p. 3.

³⁰ Cf. the Bull *Cum a Nobis* of 17 Dec., 1238, *Bull. Franc.*, I, p. 258.

³¹ Cf. the Bull *Angelis gaudium* of 11 May, 1238, in *Bull. Franc.*, I, p. 243.

³² *Ibid.*

³³ "Prout S. Pater noster Franciscus ea nos celebrare singulariter admonuit, tibi transcribo." For the text of this letter cf. *Acta Sanctorum*, Mart. I, 505. See also "The Writings of St. Clare" in *Archivum Francis. Historicum*, III, p. 439.

³⁴ *Opuscula* (Ed. 1623), t. II, pp. 189-202. It may be noted that Wadding invokes (p. 189) the authority of the *Firmamentum Trium Ordinum B. Francisci*, a somewhat polemic compilation published at Paris in 1512.

³⁵ Cf. *De Origine Seraph. Religionis* (Rome, 1587), p. 3, where he says: "Cui (Clarae) et Regulam, qui primam vocant, Franciscanae fere consimilem, ex Generalium Capitulorum decreto compositam atque post modum a Gregorio IX Pont. Max. vivae vocis oraculo confirmato, confirmatum, praefixit."

³⁶ Cf. *Opuscula S. P. Francisci* (Quaracchi, 1904), p. IX.

³⁷ *Legenda S. Clarae Virginis* tratta dal MS. 338 della Bibl. Comunale de Assisi (Assisi, 1910), c. IV.

³⁸ Lemmens: "Die Anfänge des Clarissenordens" in *Römische Quartalschrift*, t. XVI, p. 97 ff. This article called forth a rejoinder from Lempp, in *Zeitschrift für Kirchen.*, t. XXIV (1903), pp. 321-323.

³⁹ Jöergensen: *Saint François d'Assise*, Paris 1910, p. 193.

⁴⁰ Cf. I Celano (Ed. d'Alençon), § 122; *Legenda S. Clarae* (Ed. Pennacchi), p. 22.

⁴¹ Two of these letters are given by Wadding, *Annales* ad an. 1221, n. XX, and 1251, n. XVII.

⁴² The text of this unique privilege is found in the Bull *Sicut manifestum est* of 17 September, 1228; *Bull. Franc.*, I, p. 771; n. 29 al. CCCXLVI and *Seraph Legislat. Text. Orig.*, pp. 97-98; also *Arch.*

Francis. Historicum, I, p. 416, where the original document is described in detail.

⁴³ The original of this Instrument, which has preserved for us the names of all the Sisters forming the Community at S. Damiano in 1238, was in the possession of the Dean of S. Rufino at Assisi when Wadding wrote (See *Annales* ad an. 1238, nn. XIV–XV). But it seems to have disappeared before 1795. At least there is no mention of it in the very complete MS. Inventory of the archives of S. Rufino made in that year by Frondini and which I have been able to examine at length. Nor is there any trace now at S. Damiano of the early copy of the Instrument which Wadding saw there.

⁴⁴ These friars, who came to be known as “zealots of the Poor Ladies,” generally dwelt in a small hospice adjoining the Monastery, and this usage still prevails in Italy wherever the primitive observance survives, as in Foligno and Gubbio. Not a few of the details embodied in the present article are taken from the records preserved in these two monasteries, more especially from an early treatise on the Rule I found at Foligno and from a MS. *Memoriale* “scritta con fatica” in the archives at Gubbio.

⁴⁵ Cf. *Regula S. Clarae*, cap XII in *Seraph. Legislat. Textus Orig.*, p. 74.

⁴⁶ Cf. Ehrle in *Archiv für Litt. u. Kirchengeschichte*, VI (Freiburg, 1896), p. 37.

⁴⁷ By the Bull *Quo elongati* of 28 Sept., 1230, where he interpreted the words of the Rule of the Friars Minor: Chap. XII, “Quod Fratres non ingrediantur monasteria monachorum” as extending also to the monasteries of the Clares. Cf. *Bull. Franc.*, I, pp. 68, 70.

⁴⁸ Cf. Wadding: *Annales* ad an. 1212, n. 24; also *Bull. Franc.*, I, p. 32, n. c.

⁴⁹ In the Bull *Cum omnis vera*, 24 May, 1239, *Bull. Franc.*, I, p. 263.

⁵⁰ In the Bull *Nostro decet*, 19 April, 1253, addressed to Rainaldo, Bishop of Ostia.

⁵¹ Cf. the Bull *Solet annuere*, 13 Nov., 1245, *Bull. Franc.*, I, p. 394.

⁵² Cf. the Bull *Cum omnis*, 5 Aug., 1247, *ibid.*

⁵³ The firm stand St. Clare made to preserve Holy Poverty for her Order is finely told by F. Cuthbert, O.S.F.C., in his admirable Introduction to Mrs. Balfour’s *Life and Legend of the Lady Saint Clare* (1910), pp. 11–31.

⁵⁴ Cf. the Bull *Solet annuere*, of 9 Aug., 1253, in *Bull. Franc.*, I, pp.

671 ff.; 251 ff., where the text is given after that found in the *Firmam. Trium Ord.* The text of the original document was first published in *Seraph. Legislat. Text. Orig.*, pp. 49-75. See also Eubel *Epitome* (Quaracchi, 1908), pp. 251 ff., and Cozza-Luzi: *Chiara di Assisi secondo alcune nuove scoperte e documenti* (Rome, 1895) passim. A comparison of this Rule with the earlier one contained in the Bull *Cum omnis vera* of 25 May, 1239 (*Bull. Franc.*, I, 263) is full of interest.

⁵⁵ Cf. Lemmens, l. c., p. 118.

⁵⁶ By the Bull *Cum omnis vera*, 25 May, 1239, *Bull. Franc.*, I, p. 263.

⁵⁷ By the Bull *Solet annuere*, 13 Nov., 1245, *ibid.*, I, p. 394.

⁵⁸ By the Bull *Beata Clara*, 18 Oct., 1263, *ibid.*, II, pp. 509-521. It is not without significance, surely, to find Urban IV in an earlier Bull referring to Gregory IX as a co-founder of the Order: "Ordinem S. Damiani almus Confessor beatus Franciscus et fel. rec. Gregorius Papa IX in agro Ecclesiae plantaverunt." See Bull *Licet ex injuncto*, 14 July, 1263. *Ibid.*, II, p. 474. And Philippus Perusinus in his "Catalogo Cardinalium qui fuerunt Ordinis Protectores" says: "Ipse [Gregorius IX] cum B. Francisco . . . ordinauerunt et scripserunt regulam Sororum Ordinis S. Damiani." See *Analecta Fran.*, III (Quaracchi, 1897), p. 710.

⁵⁹ Shortly before (27 July, 1263), he had approved a modified form of the Rule of St. Clare for the nuns at Longchamps, founded by the Blessed Isabella of France, sister of St. Louis the King. See *Bull. Franc.*, II, pp. 477-486; also Berguin: *La Bienheureuse Isabelle de France* (Grenoble, 1899), and Duchesne: *Histoire de l'Abbaye Royale de Longchamps* (Paris, 1904).

⁶⁰ The Annunciades and the Conceptionists are in some sense offshoots of the Order of St. Clare, but they now follow different Rules from that of the Poor Ladies.



